

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
December 9, 2014 - 9:00 A.M.

PRESENT: COMMISSIONER GARY J. ANDERSON, CHAIR
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR
COMMISSIONER DOUG WITNEY

ALSO PRESENT:

E. Kent Sundberg, Civil Division Chief Attorney
Robert J. Moore, Utah County Deputy Attorney
Paul Jones, Utah County Deputy Attorney
Bryan E. Thompson, Utah County Clerk/Auditor
Julie Rollins, Utah County Purchasing Agent
Peter Jeppsen, Utah County Assessor's Office
Jim Stevens, Utah County Assessor's Office
Bryce Armstrong, Community Development
Ralph Clegg, Utah County Health Department
Bryce C. Larsen, Utah County Health Department
Tyler Plewe, Utah County Health Department
Richard Nance, Drug & Alcohol Prevention & Treatment
Gordon Bruin, Drug & Alcohol Prevention & Treatment
Robert Johnson, Drug & Alcohol Prevention & Treatment
Dean Miner, Utah State University Extension 4-H

Lana Jensen, Utah County Personnel Director
Mark Brady, Assistant Personnel Director
Andrea Allen, Utah County Recorder's Office
Dalene Higgins, Utah County Sheriff's Office
Mike Forshee, Utah County Sheriff's Office
Peter Quittner, Utah County Sheriff's Office
Gary Ratcliffe, Utah County Surveyor
Robert C. Kirk, Utah County Treasurer
Cathy Davies, Utah County Justice Court
Enoch Moore, Lakeridge Junior High School Student
John Fairchild, Utah Division of Wildlife Resources
Larry Ballard, Utah County Resident
Eldon A. Neves, Citizens for Rural Utah
Greg Graves, County Commissioner Elect
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:13 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Larry A. Ellertson, Utah County Commissioner

PLEDGE OF ALLEGIANCE: Doug Witney, Utah County Commissioner

PUBLIC HEARING

**PUBLIC HEARING TO DISCUSS THE 2015 BUDGET FOR THE GENERAL FUND AND
OTHER BUDGETARY FUNDS OF UTAH COUNTY (*Public Hearing set October 28, 2014*)**

Commissioner Anderson invited public comment; none came forward. He noted that the Public Hearing would be continued for an additional week.

Commissioner Ellertson made the motion to continue the Public Hearing to discuss the 2015 Budget for the General Fund and other budgetary funds of Utah County as specified on the agenda for one week, to the December 16, 2014 meeting of the Board. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

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The Board momentarily recessed at 9:16 A.M. to assemble as the Municipal Building Authority of Utah County, and the Board of Trustees of Utah County Service Area Nos. 6, 7, 8, and 9, respectively. The Utah County Board of Commissioners reconvened at 9:19 A.M. and proceeded to regular business items on the agenda.

Commissioner Anderson took a moment of personal privilege to acknowledge Enoch Moore in the audience, a student at Lakeridge Junior High School in Orem. Mr. Moore was present as part of a job-shadowing assignment, accompanying his father Robert J. Moore of the Utah County Attorney's Office. Commissioner Anderson also thanked employees who had participated in the festivities the previous night during the annual Employee Recognition Holiday Party.

CONSENT AGENDA

1. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON NOTICE OF PUBLIC HEARING SETTING A PUBLIC HEARING TO CONSIDER A CHANGE IN THE EXISTING SALARIES OF THE COUNTY OFFICERS OF UTAH COUNTY, UTAH**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE FY2015 FUNDING OBLIGATION DOCUMENT WITH THE UNITED STATES MARSHALL SERVICE**
3. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60316, DATED DECEMBER 4, 2014**
4. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-21**
5. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONFIDENTIALITY AGREEMENT WITH GREGORY JAMES GRAVES**
6. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONFIDENTIALITY AGREEMENT WITH KIM T. JACKSON**
7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CONFIDENTIALITY AGREEMENT WITH WILLIAM CHRISTENSEN LEE**
8. **ADOPT A RESOLUTION APPROVING A VOLUNTEER WHO WISHES TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT**
9. **APPROVE THE MINUTES OF THE DECEMBER 2, 2014 COMMISSION MEETING**

The commissioners requested Consent Agenda Item No. 9 be continued to the December 16, 2014 meeting of the Board.
CONTINUED TO DECEMBER 16, 2014

10. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 1158	December 1, 2014	Direct Deposit:20950-20952	Total: \$	288.54
Register No. 1159	December 1, 2014	Purchasing Cards 3620-3621	Total: \$	22,849.99
Register No. 1160	December 1, 2014	Check Nos. 201443-201459	Total: \$	11,780.95
Register No. 1161	December 1, 2014	Bond Wires:347-347	Total: \$	134.94
Register No. 1162	December 1, 2014	Purchasing Cards 3622-3622	Total: \$	918.18
Register No. 1163	December 1, 2014	Direct Deposit:20953-20956	Total: \$	68,703.21
Register No. 1164	December 1, 2014	Purchasing Cards 3623-3633	Total: \$	2,202.79
Register No. 1165	December 1, 2014	Check Nos. 201460-201527	Total: \$	93,011.68
Register No. 1166	December 2, 2014	Check Nos. 201528-201531	Total: \$	1,305.00

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Register No. 1167	December 3, 2014	Check Nos. 201532-201535	Total: \$	2,883.00
Register No. 1168	December 4, 2014	Check Nos. 201536-201537	Total: \$	22,965.00
Register No. 1169	December 4, 2014	Check Nos. 201538-202125	Total: \$	109,895.40
Register No. 1170	December 5, 2014	Direct Deposit:20957-20958	Total: \$	639.00
Register No. 1171	December 5, 2014	Check Nos. 202126-202133	Total: \$	9,940.41
Register No. 1172	December 5, 2014	Check Nos. 202134-202146	Total: \$	7,137.00
Register No. 1173	December 5, 2014	Check Nos. 202147-202161	Total: \$	5,998.78
			<u>Total: \$</u>	<u>360,653.87</u>

Consent Agenda Item Nos. 1 through 8, and 10, were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

2. ADOPT A RESOLUTION APPROVING THE 2015 BUDGETS FOR THE GENERAL FUND AND OTHER BUDGETARY FUNDS OF UTAH COUNTY, UTAH

The commissioners requested Regular Agenda Item No. 2 be continued to the December 16, 2014 meeting of the Board.
CONTINUED TO DECEMBER 16, 2014

3. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH STATE UNIVERSITY EXTENSION FOR A STEM EDUCATOR IN THE 4-H PROGRAM *(Continued from the September 30, October 14, and October 28, 2014 Commission meetings)*

The Board suggested this item be stricken from the agenda.

STRICKEN

4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE CY2015 WILDLAND FIRE BUDGET WITH THE UTAH DIVISION OF FORESTRY, FIRE, AND STATE LANDS

6. ADOPT AN ORDINANCE AMENDING THE UTAH COUNTY VEHICLE EMISSIONS INSPECTION/MAINTENANCE PROGRAM

7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MEMORANDUM OF AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH TO PROVIDE CLINICAL SPACE

8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH MULTICOUNTY APPRAISAL TRUST (MCAT) FOR CAMA SYSTEM PROGRAMMING

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN APPLICATION FOR CREDIT TO LARRY H. MILLER TOYOTA

10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT BETWEEN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT, AND THE UTAH DEPARTMENT OF WORKFORCE SERVICES, TO PROVIDE ADDICTION AND SUPPORT SERVICES THROUGH THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT

11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 1 TO AGREEMENT NO. 2014-732 WITH PROTECH COATINGS, INC FOR THE JAIL KITCHEN FLOOR PROJECT

The Board suggested this item be stricken from the agenda.

STRICKEN

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12. ADOPT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, APPROVING INTERLOCAL COOPERATION AGREEMENT NO. 2 BETWEEN THE LEHI CITY REDEVELOPMENT AGENCY AND UTAH COUNTY

The commissioners requested Regular Agenda Item No. 12 be continued to the December 16, 2014 meeting of the Board.
CONTINUED TO DECEMBER 16, 2014

13. ADOPT ANNUAL NOTICE OF REGULAR MEETING SCHEDULE OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH FOR THE YEAR 2015

ACTIONS TAKEN

Consent Agenda Item Nos. 1 and 10 were ratified; Nos. 2, 5, 6 and 7 were approved and authorized; Nos. 3 and 4 were approved; No. 8 was adopted; and No. 9 was continued to the December 16, 2014 meeting of the Board. Regular Agenda Item Nos. 2, 6, and 12 were continued to the December 16, 2014 meeting of the Board; Nos. 3 and 11 were stricken from the agenda; Nos. 4, 7, 8, 9 and 10 were approved and authorized; and No. 13 was adopted.

AGREEMENT NOS.: 2014-795, 2014-796, 2014-797, 2014-798, 2014-799, 2014-800, 2014-801, 2014-802, 2014-803, 2014-804, 2014-805 and 2014-806

RESOLUTION NO.: 2014-127

REGULAR AGENDA

1. ACCEPT ANNUAL PAYMENT IN LIEU OF TAXES FROM THE DIVISION OF WILDLIFE RESOURCES, AND RECEIVE UPDATE ON FISH AND WILDLIFE MANAGEMENT ACTIVITIES IN THE COUNTY

John Fairchild of the Utah Department of Natural Resources - Division of Wildlife Resources came forward to present a letter from Director Gregory Sheehan, enclosed with a check for \$16,195.93. The money in lieu of taxes is provided by hunters and anglers. Mr. Fairchild spoke of current Fish and Wildlife Management projects, and expressed appreciation for ongoing support from the Utah County Commissioners.

AGREEMENT NO. 2014-807

5. ADOPT AN ORDINANCE AMENDING THE UTAH COUNTY GOVERNMENT FEE SCHEDULE ADOPTED IN BOOK FORM BY SECTION 2-1-6 OF THE UTAH COUNTY CODE

Utah County Fire Marshal Jack Snow explained that costs are being updated to more accurately and consistently reflect the amount of time and work needed for building inspections. This has been an ongoing project for several months. Revenue will remain approximately the same, but the rates now reflect size of property; an inspection for a larger lot may cost more than one for a small home.

Commissioner Ellertson made the motion to adopt an ordinance amending the Utah County Government Fee Schedule within the Utah County Code as discussed in Regular Agenda Item No. 5. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

ORDINANCE NO. 2014-13

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At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

16. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY
STRICKEN

18. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED
STRICKEN

Commissioner Witney made the motion to strike Regular Agenda Item Nos. 16 and 18 to set dates, times, and locations for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

14. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

SET

15. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

SET

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17. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the sale of real property to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

Former Lindon Mayor Jim Dain came forward to thank Commissioners Anderson and Witney for their service to the community. Both of their terms will end at the beginning of January, and Mayor Dain has developed a relationship with the Board of Commissioners during the course of his 12 years as councilman and six years as mayor. He unofficially spoke on behalf of Utah County mayors, as well as a lifelong resident of the county, and expressed gratitude.

Utah County resident Larry Ballard also approached the bench to express appreciation for Commissioners Anderson and Witney. Mr. Ballard referred to them as extraordinary men with extraordinary careers, thanking Commissioner Witney for his commitment to private property rights, and Commissioner Anderson for his genuine care for all of his constituents.

Commissioner Anderson mentioned the Commissioners' Medal of Honor that had been awarded to Mike Stansfield at the previous night's party. The Medal is high recognition, as it is the second one to be awarded in the county along with a handful of "Utah County Treasures." The audience applauded Mr. Stansfield's achievements.

This concluded the public comment portion of the open meeting, and the meeting recessed at 9:43 A.M. to go into closed sessions. The public meeting reconvened at 10:53 A.M.

Commissioner Witney made the motion to adjourn the December 9, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:53 A.M. The minutes of the December 9, 2014 Commission meeting were approved as transcribed on December 30, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor